

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

In re NATIONAL PRESCRIPTION OPIATE LITIGATION) MDL No. 2804
This Document Relates To:) No. 1:17-md-2804
)
Cleveland Bakers and Teamsters)
Health and Welfare Fund and Pipe)
Fitters Local Union No. 120 Insurance)
Fund v. Purdue Pharma L.P., et al.,)
No. 1:18-op-45432 (N.D. Ohio))
)

UNOPPOSED MOTION TO DISMISS WALGREENS BOOTS ALLIANCE, INC., AND ADD
WALGREEN CO. AND WALGREEN EASTERN CO. AS DEFENDANTS

Pursuant to Federal Rule of Civil Procedure (“Rule) 21, Plaintiffs in the above-captioned case hereby move to dismiss Defendant Walgreens Boots Alliance, Inc. (“WBA, Inc.”) from the case without prejudice and to add Walgreen Co. and Walgreen Eastern Co. as Defendants in this case. WBA, Inc. does not oppose the motion.

On July 23, 2018, WBA, Inc. moved to dismiss the complaint in the above-captioned cases for lack of personal jurisdiction under Rule 12(b)(2). If this motion pursuant to Rule 21 to dismiss WBA, Inc. is granted, the motion to dismiss for lack of personal jurisdiction will be moot. *Cleveland Bakers and Teamsters Health and Welfare Fund, et al. v. Purdue Pharma L.P., et al.*, No. 1:18-op-45432-DAP, ECF No. 14 (N.D. Ohio July 23, 2018); *In re Nat'l Prescription Opiate Litig.*, No. 1:17-md-02804-DAP, ECF No. 772 (N.D. Ohio July 23, 2018).

This motion and the addition of Walgreen Co. and Walgreen Eastern Co. to this case is without prejudice to any defenses, counterclaims, cross-claims, arguments, or other legal positions available to Walgreen Co. and Walgreen Eastern Co. as Defendants in the case.

DATED: December 9, 2019

Respectfully submitted,

ROBBINS GELLER RUDMAN
& DOWD LLP
AELISH M. BAIG
MATTHEW S. MELAMED

s/ Aelish M. Baig
AELISH M. BAIG

Post Montgomery Center
One Montgomery Street, Suite 1800
San Francisco, CA 94104
Telephone: 415/288-4545
415/288-4534 (fax)
aelishb@rgrdlaw.com
mmelamed@rgrdlaw.com

ROBBINS GELLER RUDMAN
& DOWD LLP
PAUL J. GELLER
MARK J. DEARMAN
DOROTHY P. ANTULLIS
120 East Palmetto Park Road, Suite 500
Boca Raton, FL 33432
Telephone: 561/750-3000
561/750-3364 (fax)
pgeller@rgrdlaw.com
mdearman@rgrdlaw.com
dantullis@rgrdlaw.com

ROBBINS GELLER RUDMAN
& DOWD LLP
THOMAS E. EGLER
CARISSA J. DOLAN
655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: 619/231-1058
619/231-7423 (fax)
tome@rgrdlaw.com
cdolan@rgrdlaw.com

FAULKNER, HOFFMAN & PHILLIPS, LC
GEORGE H. FAULKNER (0031582)
JOSEPH C. HOFFMAN, JR. (0056060)
JOSEPH D. MANDO (0082835)
20445 Emerald Parkway Drive, Suite 210
Cleveland, OH 44135
Telephone 216/781-3600
216/781-8839 (fax)
faulkner@fhplaw.com
hoffman@fhplaw.com
mando@fhplaw.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of December, 2019, I electronically filed the foregoing document with the Clerk of Court by using the CM/ECF System. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF Systems.

s/ Aelish M. Baig

AELISH M. BAIG
Counsel for Plaintiffs